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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,008	09/11/2003	Oliver K. Ban	AUS920030422US1	1816
<div>46242 7590 07/12/2007</div> <div>JANIS E. CLEMENTS 3112 LOMITA DRIVE AUSTIN, TX 78738</div> <div>EXAMINER WANG, LIANG CHE A</div> <div>ART UNIT PAPER NUMBER</div> <div>2155</div> <div>MAIL DATE DELIVERY MODE</div> <div>07/12/2007 PAPER</div>				

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/660,008

Applicant(s)

BAN, OLIVER K.

Examiner

Liang-che Alex Wang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7-15 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7-15 and 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1, 3-5, 7-15, and 17-20 are presented for examination.
2. Claims 1, 3, 7-15, 17-20 are amended, claims 2, 6, 16 are canceled.

The New Grounds of Rejection

3. Applicant's amendment and argument with respect to claims 1, 3-5, 7-15, and 17-20 filed on 6/15/2007 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1, 3-5, 7-15, and 17-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Referring to claims 1, 8 and 15. Claims 1, 8 and 15 recite the limitations of "object", "data" and "data objects" which render the claims vague and indefinite. It is not clear if the "data objects" is an individual term that is not related to the claimed "data" and "object", or the "data objects" includes all the claimed "data" and "object".
7. All dependent claims are rejected to as having the same deficiencies as the claims they depend from.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniell et al., US Publication Number 2004/0068545 A1, hereinafter Daniell in views of Hyakutake et al., US Patent Number 7,117,247, hereinafter Hyakutake.

10. Referring to claim 1, Daniell teaches, in a communication network (page 3 [0040]) for electronic mail distribution between data processor controlled interactive display terminals (page 1 [0001-0002]), a sending terminal (computer 100, figure 1) comprising:

- a. means for storing data as a body (page 4 [0050] lines 8-12, composing email message by entering textual message into the body of the document) and an attachment (page 4 [0052] lines 1-4, a file is added as an attachment)(figure 2, 3, 4, 15 and 17, composing an email with body and attachment, and send to a receiving device corresponds “means for storing data”);
- b. means for handshaking with a receiving terminal (remote computer 120, page 5 [0059], lines 5-7, page 1 [0003], electronic message is sent to the receiving device (120) from the sending device (100), handshaking occurs when connection established between devices for data transmission);
- c. means for converting data stored in the sending terminal into a set of symbols (figure 17, page 6 [0065] lines 8-11, composed email with attachment, received at

the receiving device contains descriptive information which corresponds to “data converted into a set of symbols (descriptive information)) that contain information (name, size type) regarding an object (attached file) that makes up the attachment to which said data is linked (page 5 [0059] lines 5-10, page 6 [0065], information regarding to the attached file is displayed in the electronic message, such as file name, type and size); storing the symbols having information about the attachment in the separate folder stored at the sending terminal with the attachment (page 4 [0045], default attachment directory is the folder that saved the attached file (data object), page 6 lines [0064], information regarding to the attachment is sent to the receiving terminal without the transferring data object, therefore the information are stored in a cache, which is in a separate file folder at the sending terminal);

- d. means for transmitting symbols to the receiving terminal (page 5 [0059] lines 5-10, message is received by a user’s electronic message client) without transferring data objects or attachment (page 5 [0053], lines 23-28, descriptive information are displayed to the receiver to inform the size of the attached file before transferring the attached file; page 6 [0066], attached file is transferred after the descriptive information is viewed and the file is selected); and
- e. means for transferring the data objects in response to requests by the receiving terminal (page 6 [0066-0068], a command is received from the user of the receiving terminal to save a particular attachment);
- f. wherein a size of the data objects or attachment is determined by information received from the symbols corresponds to the data objects or attachments (page 6

[0065], lines 2-6, figure 17, the symbol 76 KB shows the size of attached word file is determined to be seventy-six kilobytes).

Daniell does not teach where the body and the attachment are stored in a separate folder at the sending terminal.

However, Hyakutake teaches an email server that separates the document attachment from the email and stored the document to a folder associated with the email address (Col 9 line 67- Col 10 line 3).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to having the sending terminal of Daniell to separates the document attachment from the email and stored the document to a folder associated with the email address as taught by Hyakutake because both Daniell and Hyakutake teaches emails communication from a sending device to a receiving device.

A person with ordinary skill in the art would have been motivated to make the modification to Daniell to allow efficient management of email documents and attachments as taught by Hyakutake (Col 1 lines 58-60).

11. Referring claim 3, Daniell as modified teaches the electronic mail communication network of claim 1 further comprising means responsive to a request from the receiving terminal to select a data object from the sending terminal (page 6 [0066], lines 4-5, a command (request) is received from the user of the receiving terminal to save a particular attachment).
12. Referring claim 4, Daniell as modified teaches the electronic mail communication network of claim 3 further comprising means responsive to a request from the receiving terminal to download a data object from the sending terminal (page 6 [0067-0068], after

the command (request) is received, a copy of file is saved from the sender to the receiver (downloading)).

13. Referring claim 5, Daniell as modified teaches the electronic mail communication network of claim 3 further comprising means responsive to a request from the receiving terminal to delete a data object from the sending terminal (page 6 [0064] lines 13-17, read window is provided to the user to delete and manage messages and file attachments).
14. Referring claim 7, Daniell as modified teaches the electronic mail communication network of claim 5 further comprising means for separately transmitting said symbol from said data object (page 6 [0064-0068], information and attached file are transmitted separately).
15. Referring to Claims 8-15, and 17-20. Claims 8-15, and 17-20 encompass the same scope of the invention as that of the Claims 1, 3-5, 7. Therefore, the Claims 8-15, and 17-20 are rejected for the same reason as the Claims 1, 3-5, 7.

Conclusion


16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
17. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571)272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
20. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang
June 25, 2007


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER